



**U.S. Citizenship  
and Immigration  
Services**

**Non-Precedent Decision of the  
Administrative Appeals Office**

MATTER OF C-T-, INC.

DATE: JUNE 11, 2018

APPEAL OF NEBRASKA SERVICE CENTER DECISION

PETITION: FORM I-140, IMMIGRANT PETITION FOR ALIEN WORKER

The Petitioner, a provider of Internet-based travel and expense management services, seeks to employ the Beneficiary as a software design engineer. It requests his classification under the second-preference immigrant category as a member of the professions holding an advanced degree or its equivalent. Immigration and Nationality Act (the Act) section 203(b)(2)(A), 8 U.S.C. § 1153(b)(2)(A). This employment-based, “EB-2” category allows a U.S. business to sponsor a professional with a master’s degree, or a bachelor’s degree followed by five years of experience, for lawful permanent resident status.

After the filing’s initial grant, the Acting Director of the Nebraska Service Center revoked the petition’s approval. The Director concluded that, as of the grant, the Petitioner did not establish the Beneficiary’s possession of the minimum experience required for the offered position. *See* section 205 of the Act, 8 U.S.C. § 1155 (authorizing revocation of a petition’s approval for “good and sufficient cause”).

The Petitioner must establish the Beneficiary’s possession of the job requirements stated on the labor certification. *See Matter of Wing’s Tea House*, 16 I&N Dec. 158 (Acting Reg’l Comm’r 1977). Here, the labor certification requires a master’s degree and two years of qualifying experience, but the Director found that the experience recorded on the labor certification was insufficient to establish the Beneficiary’s eligibility. On appeal, the Petitioner asserts that the Beneficiary possesses at least two years of qualifying experience and submits documentary evidence corroborating the claimed employment. Upon review, we find that a preponderance of evidence establishes the Beneficiary’s qualifications for the offered position. We will therefore withdraw the revocation decision.

**ORDER:** The appeal is sustained.

Cite as *Matter of C-T-, Inc.*, ID# 981335 (AAO June 11, 2018)